



J. Ashley Cooper

Partner

Telephone: 843.727.2674

Direct Fax: 843.727.2680

ashleycooper@parkerpoe.com

Atlanta, GA
Charleston, SC
Charlotte, NC
Columbia, SC
Greenville, SC
Raleigh, NC
Spartanburg, SC
Washington, DC

December 18, 2020

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd Chief

Clerk and Executive Director

Public Service Commission of South Carolina

101 Executive Center Drive, Suite 100

Columbia, South Carolina 29210

**Re: Duke Energy Carolinas, LLC's and Duke Energy Progress, LLC's
Establishment of Solar Choice Metering Tariffs Pursuant to S.C. Code Ann.
Section 58-40-20
Docket Nos. 2020-264-E and 2020-265-E**

Request for Expedited Action; Time Sensitive Request

Dear Ms. Boyd:

Duke Energy Carolinas, LLC and Duke Energy Progress, LLC (the "Companies") received yesterday, December 17, 2020 the Transmittal Letter, Revised Prefile Testimony Letter, and Revised Notice of Filing and Hearing and Prefile Testimony Deadlines (the "Revised Notice") in this proceeding. The Transmittal Letter indicates that the Companies should contact your office with any concerns relating to the revised Notice. I am writing to inform you about concerns the Companies have with the revised intervention deadline as well as the timing and expense of providing notice to customers as outlined in the Revised Notice and Transmittal Letter.

Initially, the Revised Notice appears to be inconsistent with Commission orders regarding the intervention date for these proceedings. These dockets were established by the Commission pursuant to a Commission Directive issued on October 28, 2020 in Dockets 2019-169-E and 2019-170-E (the "2019 Dockets"). In that Directive, the Commission created new Dockets 2020-264-E and 2020-265-E (the "2020 Dockets"), made all parties to the 2019 Dockets parties to the 2020 Dockets, and ordered the Clerk's Office to establish a new intervention deadline for the 2020 Dockets. By a letter issued on November 4, 2020, the Clerk's Office set November 25, 2020 as the intervention date for the 2020 Dockets. The Revised Notice appears to establish a new intervention date of February 8, 2021 which would be inconsistent with the date previously established and not supported by any order of the Commission. Further, it is unnecessary, given the option that intervenors can still petition to intervene out of time.

Secondly, the Transmittal Letter does not allow the Companies sufficient time to provide notice to customers by bill insert. The Transmittal Letter requires the Companies to provide notice directly to customers by regular mail via bill inserts or email (to customers who have agreed to receive notice by email) by January 6, 2021. As recently explained in another docket, the Companies provide notices and other communications to customers by inserting the communications into the customers' monthly bills. Bill insertion is a convenient and relatively inexpensive way of providing required notices to customers. However, the Companies would simply be unable to provide bill inserts to all affected customers by January 6, 2021 given the lead time required to create and mail those inserts. For example, once a notice has been posted to DMS, it must go through a proofing process and then be included with all other bill inserts, which must be provided to the printer by the 6th of each month in order to be shipped to New Jersey, where they are inserted into the bill envelopes. From there, it takes a thirty-day cycle to send bills to customers in daily batches as customers are on different billing cycles. Accordingly, the Companies cannot meet the January 6, 2021 deadline set by the Commission with a bill insert. If the Companies do a special mailer, conservative preliminary estimates are that such action would cost between \$420,000 to \$530,000—a cost recoverable from customers.

The Companies understand that the procedural schedule in this proceeding was established by the Clerk's Office, pursuant to instructions from the Commission in Order No. 2020-824, and that the Clerk's Office has the authority to approve a revised notice procedure pursuant to that schedule. Accordingly, the Companies respectfully request that the Clerk's Office take the following actions: (1) revise the Revised Notice to delete the reference to an intervention deadline of February 8, 2021 given that the intervention deadline has passed; and (2) establish a new deadline for providing notice to customers of February 22, 2021.¹ A deadline of February 22, 2021 will provide ample notice for customers of the hearing date of March 17, 2021 and will allow the Companies to avoid the costs associated with a special mailer.

Thank you for considering the Companies' request for a revised notice and revised procedure for providing notice of the hearing in this proceeding.

Sincerely,



J. Ashley Cooper

JAC:hmp

cc: Jocelyn Boyd, Chief Clerk/Executive Director
David Butler, Chief Hearing Officer
Parties of Record

¹ Due to the logistical concerns cited above, this date assumes that the Clerk's Office will issue a new Notice no later than December 30, 2020. If a new Notice is issued later than December 30, 2020, the Companies will be unable to create the bill inserts and meet the deadline of February 22, 2021.